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7 Attorneys for  
8 Defendant CARLOS GUERRERO  
9 (Erroneously Identified as Carlos Guerrera)

10 UNITED STATES DISTRICT COURT  
11 EASTERN DISTRICT OF CALIFORNIA

12 DURIEL DAVIS,  
13 Plaintiff,  
14 v.

15 ADVANCE SERVICES, INC., a corporation;  
16 ARCHER-DANIELS- MIDLAND CO., a  
17 corporation; ARCHER DANIELS MIDLAND  
18 COMPANY; ADM RICE, INC., a corporation;  
19 ADM MILLING COMPANY, a corporation;  
20 RUSH PERSONNEL SERVICES, INC., a  
21 corporation; JOHNNY BARNETT, an  
22 individual; JANETTE ESCALANTE, an  
23 individual; MATTHEW HOUSE, an individual;  
24 OMAR ROSALES, an individual; CARLOS  
25 GUERRERA, an individual; and DOES 1  
26 through 100 inclusive,

27 Defendants.  
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Case No. 2:22-cv-00343-MCE-JDP

**STIPULATION AND ORDER TO  
FURTHER EXTEND DEADLINE FOR  
DEFENDANT CARLOS GUERRERO TO  
RESPOND TO THE COMPLAINT**

Action Filed: 02/22/2022  
Trial Date: TBD

**STIPULATION**

Pursuant to Rules 143 and 144 of the Local Rules of this Court, Plaintiff Duriel Davis (“Plaintiff”) and Defendant Carlos Guerrero (who clarifies that his last name was incorrectly spelled Guerrero in the Complaint and accompanying papers), by and through their undersigned counsel hereby Stipulate and agree as follows:

WHEREAS Plaintiff commenced this action on February 22, 2022, via the filing of the Complaint in this matter;

WHEREAS the parties have agreed to mediation with the Honorable Alan Perkins on March 22, 2023;

WHEREAS, Defendant Guerrero’s current deadline to file an Answer in this matter is February 10, 2023, pursuant to a Stipulation between the parties and an Order of this Court thereon entered on October 31, 2022 [Doc. # 25];

WHEREAS, based upon the mediation, Plaintiff has already stipulated to extend the responsive pleading deadline for the ADM Defendants to sixteen days after the mediation, April 7, 2023 (and said stipulation is currently pending before the Court [see Doc. # 27]);

WHEREAS good cause to extend the time period for Defendant Guerrero to respond to the Complaint exists, in that it is in the interest of all Parties and the Court for the Parties to investigate and pursue informal resolution prior to resorting to protracted litigation, and Plaintiff has already agreed to the same extension for other related defendants (the ADM defendants) and will not suffer any prejudice as a result of extending Defendant Guerrero’s time accordingly;

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1 NOW, THEREFORE, it is hereby stipulated and agreed, by and through the Parties'  
2 respective counsel, that Defendant Guerrero shall have until April 7, 2023, sixteen days after the  
3 scheduled mediation on March 22, 2023, to answer or otherwise respond to the Complaint.

4 DATED: February 13, 2023

Respectfully submitted,

5 APARICIO LAW FIRM

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7 By: /S/ Michael A. Aparicio

Michael A. Aparicio

8 Attorneys for Defendant CARLOS GUERRERO

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10 DATED: February 13, 2023

MASTAGNI HOLSTEDT, A.P.C.

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12 By: /S/ Grant A. Winter—by permission 2/10/2023

Grant A. Winter


13 Attorneys for Plaintiff DURIEL DAVIS  
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**ORDER**

Pursuant to the above Stipulation between the Plaintiff Duriel Davis and Defendant Carlos Guerrero, IT IS HEREBY ORDERED that the deadline for Defendant Guerrero to respond to the Complaint shall be April 7, 2023.

IT IS SO ORDERED.

Dated: February 13, 2023

  
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MORRISON C. ENGLAND, JR.  
SENIOR UNITED STATES DISTRICT JUDGE